

GENERAL CONFORMITY – RECORD OF NON-APPLICABILITY

Project/Action Name: Addition of Maneuver Lands

Project/Action Identification Number:

Project/Action Point of Contact: Muhammad Bari, Directorate of Public Works, Phone:
760-380-3410

Begin Date:

End Date: On-going activity

General Conformity under the Clean Air Act, Section 176 has been evaluated for the project described above according to the requirements of 40 CFR 93, Subpart B. The requirements of this rule are not applicable to this project/action because:

 X The project/action is an exempt action under 40 CFR 93.152(c) or (d),
(SPECIFY APPLICABLE EXEMPTION CATEGORY AND REGULATORY
CITATION)

OR

 X Total direct and indirect emission from this project/action have been estimated at 16,038 tons of PM₁₀, 73.72 tons of nitrogen oxide emissions, 15.06 tons of volatile organic compound emissions a year and are below the conformity threshold value established at 40 CFR 93.153(b) of 100 tons of PM₁₀, 25 tons of nitrogen oxide emissions, 25 tons of volatile organic compound emissions a year. For PM₁₀ and NO_x the levels generated are at or below current levels. Thus, the land acquisition itself is exempt from the conformity determination process.

AND

The project/action is not considered regionally significant under 40 CFR 93.153(i).

Supporting documentation and emissions estimates are

(X) ATTACHED

(X) APPEAR IN THE NEPA DOCUMENTATION (Supplemental Draft
Environmental Impact Statement for the Proposed Addition of Maneuver Training
Lands at Fort Irwin, CA)

() OTHER

SIGNED

(Name and Title of Environmental Coordinator)

RECORD OF NONAPPLICABILITY FOR THE SUPPLEMENTAL DRAFT
ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED ADDITION OF
MANEUVER TRAINING LAND AT FORT IRWIN

Fort Irwin proposes to support Alternative I: East/West Alternative for the Supplemental Draft Environmental Impact Statement for the Proposed Addition of Maneuver Training Land at Fort Irwin, San Bernardino, CA. The proposed project includes acquiring additional lands for the current rotational training units to engage in more realistic battles.

Fort Irwin is located in the Mojave Desert Air Basin in San Bernardino County. The entire Mohave Desert Air Basin is designated as a PM₁₀ nonattainment area. Portions of the Mojave Desert Air Basin are designated nonattainment for ozone (O₃). The Mojave Air Basin is either unclassified or in attainment for all other federal ambient air quality standards.

The proposed action has been evaluated for compliance with Section 176(c) of the Clean Air Act (42 USC 7506) and with the U.S. Environmental Protection Agency (EPA) general conformity rule promulgated at 40 CFR Part 93. Federal guidelines have been established to either demonstrate conformity or to show that the federal action is exempt from the conformity demonstration requirement. Based on EPA guidance:

- The Fort Irwin land acquisition itself is exempt from conformity requirements [§51.853(c)(2)(xx)]. §51.853(c)(2)(xx) exempts from conformity determinations transfers of real property, including land, facilities, and related personal property from a Federal entity to another Federal entity for subsequent deeding as long as those actions do not result in an increase in emissions or have an increase in emissions that is clearly de minimis.
- Operations occurring after the land acquisition are also exempt [§51.853(c)(1)]. §51.853(c)(1) exempts conformity determinations for actions where the total of direct and indirect emissions are below the emissions levels specified.

Proposed training activities have been the subject of an EIS. Training will be implemented over a period of seven years. Annual rotational training is not expected to increase. Annual average of training activity emissions are estimated in the EIS as 16,038 tons of PM₁₀, 73.72 tons of nitrogen oxide emissions, 15.06 tons of volatile organic compound emissions. The emission quantities are less than the relevant de minimis emission levels for ozone and the PM₁₀ nonattainment.

Pursuant to 40 CFR 93.153(c)(1), I find that the requirements of the EPA general conformity rule are not applicable to the proposed Fort Irwin action.

Signature: _____

Date: _____